

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

JERALD S. CHANDLER,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

Civil No. 3:09-cv-5709 RJB


ORDER ADOPTING REPORT AND
RECOMMENDATION RE STIPULATED
REMAND

Based on the Report and Recommendation of Magistrate Judge J. Richard Creatura and the stipulation of the parties, it is hereby ORDERED that the above-captioned case be reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g) for a de novo hearing and further administrative proceedings, including, but not limited to, the following actions: the administrative law judge (ALJ) will further evaluate the severity of Plaintiff's physical and mental impairments, including bipolar disorder, post-traumatic stress disorder, and obesity; the ALJ will further evaluate the medical source opinions in the record; the ALJ will update the record with any available evidence from treating sources; the ALJ will evaluate, and include as part of the record, Dr. Mangione-Lambie's August 31, 2006 psychological/psychiatric evaluation report and Dr. Lee's August 24, 2006 physical evaluation report; the ALJ will consider the

evidence submitted to the Appeals Council (Tr. 9-15, 513-560); the ALJ will further evaluate Plaintiff's subjective complaints; the ALJ will further evaluate Plaintiff's residual functional capacity; the ALJ will further evaluate Ms. Mitchell's statement (Tr. 157-165) and will provide rationale germane to the witness concerning the credibility of her statement; and, if necessary, the ALJ will obtain evidence from a vocational expert to clarify the effect of the assessed limitations on the occupational base.

Plaintiff's Motion to Supplement the Record is rendered moot and therefore is dismissed. Dr. Mangione-Lambie's August 31, 2006 psychological/psychiatric evaluation report and Dr. Lee's August 24, 2006 physical evaluation report will be made part of the record by the Commissioner on remand.

DATED this 11th day of June, 2010.



ROBERT J. BRYAN
United States District Judge

Presented By:

s/ Daphne Banay

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